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CASES IN COURT.

**Decision Rendered
In a Guardian-
ship Action.**

**THE JURY FINDS
KAGA GUILTY**

**Bartlett Divorce Suit is Dismissed
Because of Indication of
Collusion.**

The trial of Kaga, the Japanese charged with assault with a deadly weapon, to-wit: a pair of scissors, upon the person of Toma, a Japanese woman, last December at Iwilei, came up before the First Circuit Court yesterday, being continued from last Friday. The jury drawn sitting in the case are W. F. Dillingham, J. E. Jaeger, Chas. Ramsey, W. J. Smith, T. H. Petrie, D. M. Ross, D. T. Bailey, P. R. Helm, James Spencer, A. A. Montano, James Brown and J. W. Lloyd.

Kaga was placed upon the stand and testified that Toma is his cousin and that he stood in the relationship of guardian to her since she came from Japan by reason of his relationship and the natural interest he had in her welfare on account of knowing her folks in Japan. He said that he knew that she was leading an evil life and that he was continually trying to persuade her to go back to Japan, but this she refused to do. On the night of the assault he said he had been trying to induce her to return to her folks and in order to frighten her took up the scissors and feigned to cut her hair. According to Kaga's story it was in this way that the woman suffered the wound upon her face, as she threw up her hands and knocked the scissors against her own face, causing the wound. Toma herself was put upon the stand, but her story differed materially. She testified that Kaga was very angry with her and grabbed hold of her roughly, apparently meaning to injure her; her struggles were natural and did not cause the injury, but on the contrary had she not struggled the injury would have been much more serious.

Assistant Attorney General Dunn prosecuted the case and Attorney De Bolt appeared for the defendant.

After two hours' deliberation the jury returned a verdict finding the defendant guilty as charged and sentence was pronounced by the court, condemning Kaga to two years at hard labor, in Oahu prison and sentencing him to pay the costs, which are assessed at \$18.50. The jury sitting on the case was discharged for the term.

BARTLETT DIVORCE CASE.

A transcript of notes in the case of Josephine Bartlett vs. W. S. Bartlett has been filed in which the oral decision of the court is given. The court finds that the husband's charge of "unfaithfulness" when the wife stayed away all night at the house of a woman acquaintance and again where she stayed away all day at the races and did not attend to household duties, are not sufficient upon which to base the cause of cruelty, for which to grant a divorce. The plaintiff's charge of intemperance was not sustained. In his opinion the judge says that the case is practically undefended. "Yet the court has the duty of being astute in divorce cases to detect fraud and collusion."

The decision concludes as follows: "The court cannot grant a divorce by consent, or because there is no contest, or because both parties desire it; nor will it seize upon flimsy, uncertain and equivocal language, used no doubt in the heat of passion and under some provocation, upon which to base a finding of extreme cruelty. Sympathy for a lachrymose plaintiff should not influence the court to disregard the law, the evidence and its duty. Libel dismissed; order for temporary alimony revoked."

UNITED STATES DISTRICT COURT.

P. D. Day, the hackman who struck Officer Doyle of the custom house service with a whip a few days ago, appeared before Commissioner Robinson for preliminary examination yesterday. He waived the hearing and was committed for trial at the April term, his bail being changed from \$5,000 to \$1,000.

George E. Lee, first mate of the Star of Bengal, under arrest for assault upon two sailors and mistreating them during the voyage of the vessel from Australia to Honolulu, was brought before Commissioner Robinson yesterday morning and the preliminary hearing was had. He had been arrested under the name of John Lee, but said that his name was George E. Lee, and under this name his case was committed for trial at the coming term, being bound to appear under \$3,000 bonds. Another sailor from the Star of Bengal also appeared with a complaint of assault and mistreatment, but it developed that he was a Finn, and as no interpreter of his language could be found, his complaint was not entered, the evidence of the other two sailors being deemed sufficient to represent the case.

A petition in bankruptcy was filed yesterday in the United States District Court by United States Attorney Baird, petitioning that Kanaburo Tomashima be declared a bankrupt. Tomashima was recently a merchant of Hilo.

T. H. Davies & Company, Asadi and Iwakami and several other creditors are seeking to have a mortgage given by the insolvent to Hackfeld & Company declared an act of bankruptcy, as this mortgage was given in December at a time when Tomashima was already \$14,000 in debt. The mortgage is for \$2,900 and has been foreclosed and the property bought in by Tomashima for \$2,900. The other creditors hope to have this property and all other assets of the insolvent merchant divided among them according to law.

COURT NOTES.

Defendant's bill of costs in the case of Chas. E. Bartlett vs. Hawaiian Car-

riage Manufacturing Company was filed yesterday, the expenditures under oath of S. M. Ballou aggregating \$76.

In the matter of the guardianship of George S. Houghtalling, an insane person, return of a summons for the hearing of a petition for guardianship made by the brother of Houghtalling was made yesterday in the First Circuit Court, showing service upon the insane man.

The written order of court in the divorce case of Marie Josephine Hall vs. William A. Hall, commanding the defendant to pay the costs of suit, attorney's retainer fee of \$100 and \$15 per week alimony to the plaintiff pending the decision of the case, was yesterday filed with the clerk of the First Circuit Court. The order was given orally by the court on Monday.

James Olds, Arthur Neely and Chas. Spencer, deputy collectors of the internal revenue office, accompanied Loo Joe, a Chinese interpreter, left yesterday morning for Koolau to attend to the registration of Chinese in that district. There are about 350 Chinese in Koolau and the officers do not expect to complete the work there until Thursday or Friday.

Mothers' and Teachers' Club.

The regular monthly meeting of the Mothers' and Teachers' Club will be held at Punahou Preparatory School, at 3 p. m., March 15th. The following will be the program given:

Easter Carol—Mrs. A. H. Otis.

How to Bring Religion Into the Lives of Our Children—

Through (a) Music—Mary Dillingham Frear.

Through (b) Story—Mary Atherton Richards.

Through (c) Art—Miss Helene Johnson.

Through (d) Nature—Miss A. M. Felker.

How to Present the Easter Thought to Children—Miss Frances Lawrence.

Easter Story—Miss Claire H. Uecker.

Easter Songs—Mrs. A. H. Otis.

AN INTERRUPTED TALK WITH FAME

**Lady Clarke Strongly Objects
to Sir Stanley Being
Interviewed.**

Just before the departure of the steamship Sonoma for San Francisco last night there were several hundred persons on her decks, in her saloon, and all over her. They were running hither and thither, peeking into cabins, examining the furnishings and admiring things in general. Many of them were bidding good-by to departing friends, while others were only taking the opportunity of getting a view of the magnificent vessel.

Prominent among those in the social hall, after the passengers had dined and the ship was waiting until the time of her departure, was a tall and stately woman dressed in black silk and holding a conversation with a military looking man of less than the average height, whose shining crown, innocent of hair, glistened in the glare of the electric lights.

She was standing, and loomed above all the other women in the hall. A reporter, learning that the couple were Major General Sir Stanley and Lady Clarke, approached the military man. Sir Stanley Clarke proved to be a most charming conversationalist, and was full of information concerning his trip around the world. The couple live in London, and went to Australia by way of the Suez Canal, toured that continent, and are now returning to England by way of the United States. After the subject of travel had been discussed to some extent, the conversation turned to matters military, and the general was expressing some interesting opinions on the Boer war. Just about this time, however, Lady Clarke, who had turned to talk with another lady a moment before the approach of the reporter, seemed to realize that her husband was being interviewed.

She cast one or two apprehensive glances at her husband, and then started to go out on deck, turning around at the door to call her husband. He was evidently interested in the interview, and failed to hear. Then Lady Clarke puckered up her lips and whistled.

When somebody whistles in a large gathering there is generally more than one person who imagines that he or she is being called, and the result of Lady Clarke's whistle was that about a dozen men and women "rubbered." Lady Clarke whistled again. The general was relating some particularly heinous deed about this time and failed to hear once more. For the third time her ladyship whistled and failed to get a response. It was getting embarrassing; people were beginning to look; ladies were giggling and men were glancing at the general. Lady Clarke re-entered the hall and, approaching the side of her lord, administered a smart rap on his arm with her dainty fan. Though the general had failed to hear, he still possessed the power of feeling, and the interview was closed, the general meekly going out on deck with his wife.

Once outside, Lady Clarke was heard to remark, "How often have I told you, Stanley, dear, not to talk to those horrid reporters."

FAIR FOR HAWAII.

**Meeting Tonight to Discuss Ways
and Means.**

The Hawaiian Agricultural Society has been considering the question of an agricultural fair in Honolulu, and it is probable that definite steps will soon be taken towards arrangements. A meeting is to be held this evening at 7:30 o'clock in the High School building for the purpose of discussing the matter, and all those interested are cordially invited to attend and take part.

The old Royal Hawaiian Agricultural Society, of which the present society is a reorganization, formerly gave annual exhibitions of the products of the different industries of the Islands. The exhibitions were a success and encouragement, and with the great developments of the sugar and other industries, it is certain that an agricultural fair would be a source of benefit and satisfaction to the public spirited men. Every other State and Territory in the United States has its agricultural fair, and Hawaii should not be behind hand, especially as the Islands offer so great a variety of products for exhibition.

Tonight's meeting will determine the matter definitely, and arrangements will be discussed.

The rumor is revived, but is not generally credited, that a Vizzava, formerly French consular attaché here, will succeed the present consul.

The Moana Hotel will not contain all the coming Shriners, and other hotels and boarding houses will be requisitioned.

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A DOUBLE BILL AT THE OPERA HOUSE LAST NIGHT

What the crowd lacked in numbers at the Opera House last evening it made up in enthusiasm, and the reception accorded Miss Roberts all through the rendition of "Only the Master Shall Blame," was extended to each individual member of the company. The double bill presented provided of more than usual merit, and each play, though at a distinct variance with each other, was a gem.

The performance opened with Charlotte Thompson's masterpiece, a play in one act, in which the versatile powers of Miss Roberts were shown to advantage. The play is a cameo set in the rough setting of every-day life, taken from the "club" element of the large cities. As "Margaret Nell," a young woman much wronged by John Venable, a captain in the United States navy, Miss Roberts played her part to perfection, and towards the close of the last scene, where all of her emotional powers were brought into play, a stolen glance through the audience revealed the fact that handkerchiefs were in frequent use, and nearly all of the fair sex were moved to tears.

Lucius Henderson, as a surgeon in the United States navy, and Carlyle

Moore, as a journalist, were well received, and "Dulcie Venable," sister to "John," made a favorable impression upon the audience by her skillful acting. The difficulties of her part were not lessened by the fact that she was compelled to carry a small specimen of the genuine tribe around with her during her appearance on the stage.

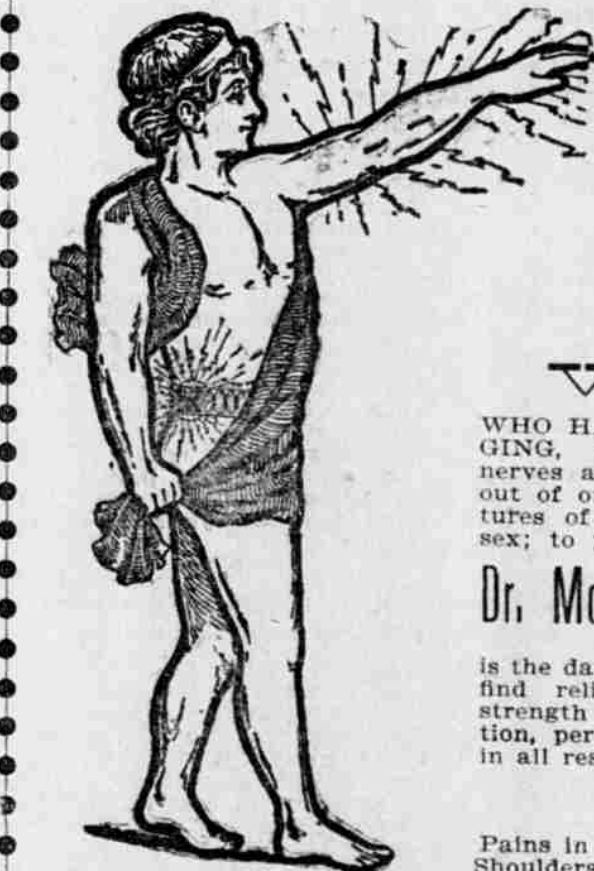
The gem of the evening was the presentation of "Madame Butterfly," that which there has been no greater one-act drama upon the American stage.

The phenomenal success of this tragedy is due entirely to the faithful impersonation of "Cho Cho San," the deserted little Japanese girl, by Miss Juliet Crosby. Months of careful study have made her perfect in this part, and a life spent among the Japanese would not cause her to alter one little movement or gesture, or in the slightest degree change the perfect imitation of the Japanese dialect.

Perhaps no greater compliment could be paid than the hearty appreciation evidenced by the audience, who have lived and are living in a land where the greater part of the population consists of Japanese.

The picture as drawn is true to life in the Orient in its many phases, and it is a hard heart indeed that can sit unmoved throughout the interpretation of the story. It is to be hoped that "Madame Butterfly" will be placed on the bill at least once more before the company leaves Honolulu.

AWAY WITH PAIN



MEN

WHO HAVE PAINS in the back, shoulders and limbs, who have nervous trembling and debility, whose energy is wasted, and who feel gloomy and sick of the things of life which should bring them pleasure—

WOMEN

WHO HAVE THAT AWFUL DRAGGING, bearing down pain, whose nerves are racked, whose stomach is out of order, and who suffer the tortures of complaints peculiar to their sex; to you

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